

Buchanan
Ingersoll • Rooney



Daniel C. Garfinkel
412 562 1837
daniel.garfinkel@bipc.com

Union Trust Building
501 Grant Street, Suite 200
Pittsburgh, PA 15219-4413
T 412 562 8800
F 412 562 1041

January 12, 2023

VIA UPS OVERNIGHT MAIL

Office of the Clerk
United States District Court
For the Southern District of West Virginia
Robert C. Byrd United States Courthouse
300 Virginia Street, East, Suite 2400
Charleston, WV 25301

**Re: *Xcoal Energy & Resources v. Bluestone Energy Sales Corp.,
Southern Coal Corp., and James C. Justice, II***

Dear Sir/Madam:

Enclosed please find a Certified Amended Mandate and the United States Court of Appeals for the Third Circuit Court Clerk's Certification of the Judgment, which we request that you register as a Foreign Judgment under 28 U.S.C. § 1963, along with the appropriate filing fee.

Kindly return confirmation of filing in the enclosed, self-addressed, postage prepaid envelope.

Should you have any questions or need anything further, please feel free to contact me.

Very truly yours,

Daniel C. Garfinkel

Enc.

Buchanan
Ingersoll • Rooney



Daniel C. Garfinkel
412 562 1837
daniel.garfinkel@bipc.com

Union Trust Building
501 Grant Street, Suite 200
Pittsburgh, PA 15219-4413
T 412 562 8800
F 412 562 1041

January 13, 2023

VIA UPS OVERNIGHT MAIL

Office of the Clerk
United States District Court
For the Southern District of West Virginia
Robert C. Byrd United States Courthouse
300 Virginia Street, East, Suite 2400
Charleston, WV 25301

**Re: Xcoal Energy & Resources v. Bluestone Energy Sales Corp.,
Southern Coal Corp., and James C. Justice, II**

2:23-mc-00018

Dear Sir/Madam:

Enclosed please find a certified copy of a final Judgment issued by the United States Court of Appeals for the Third Circuit Court on September 27, 2022, in the amount of \$88,866.24 in favor of Xcoal Energy & Resources ("Xcoal"), and against Bluestone Energy Sales Corporation, Southern Coal Corporation, and James C. Justice, II ("Judgment Debtors"). Xcoal respectfully requests that the enclosed foreign judgment be registered in this judicial district pursuant to 28 U.S.C. § 1963. Included in this mailing, please find the appropriate fee for the registration of a foreign judgment.

Kindly return confirmation of filing in the enclosed, self-addressed, postage prepaid envelop.

Should you have any questions or need anything further, please feel free to contact me.

Very truly yours,

Daniel C. Garfinkel



UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 21-2926

XCOAL ENERGY & RESOURCES

v.

BLUESTONE ENERGY SALES CORPORATION;
SOUTHERN COAL CORPORATION; JAMES C. JUSTICE, II,
Appellants

On Appeal from the United States District Court
for the District of Delaware
(District Court Civil No. 1-18-cv-00819)
District Judge: Honorable Leonard P. Stark

Submitted Under Third Circuit L.A.R. 34.1(a)
July 15, 2022

BEFORE: GREENAWAY, JR., MATEY, and NYGAARD, *Circuit Judges*

JUDGMENT

This cause came to be considered on the record from the United States District Court for the District of Delaware and was submitted pursuant to Third Circuit L.A.R. 34.1(a) on July 15, 2022.

On consideration whereof, it is now hereby ORDERED and ADJUDGED by this Court that the order of the said District Court entered on September 28, 2021, be and the same is hereby AFFIRMED.

Costs taxed against appellants.

All of the above in accordance with the Opinion of this Court.

ATTEST:


s/Patricia S. Dodszuweit
Clerk

DATED: July 21, 2022


Certified ~~as a true copy~~ and issued in lieu
of a formal mandate on August 25, 2022

Teste: Patricia S. Dodszuweit
Clerk, U.S. Court of Appeals for the Third Circuit

Pursuant to the Court's order entered on September 27, 2022 additional costs taxed as follows: Attorneys fees are awarded in favor of Appellee Xcoal Energy & Resources in the amount of \$88,866.24.


Certified ~~as a true copy~~ and issued in lieu
of a formal mandate on September 27, 2022

(Amended Mandate)

Teste: Patricia S. Dodszuweit
Clerk, U.S. Court of Appeals for the Third Circuit

A TRUE COPY
Patricia S. Dodszuweit
DEPUTY CLERK

Note: UPS Express envelopes are not recommended for electronic media containing sensitive personal information. Do not send cash or cash equivalent.

Use this envelope for inkjet printer

CS 23.6.00. WNTNV50 2.0A 01/2023



11

Express

Extremely Urgent

